

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Action Case No. 5:19-CV-00834-DAE
)	
v.)	
)	
JOHN DOE,)	
)	
Defendant.)	
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JOINT MOTION TO MODIFY SCHEDULING ORDER

Plaintiff Malibu Media, LLC and Defendant John Doe request that the Court modify the dispositive motion deadline in the Court’s January 21, 2020 scheduling order [Dkt. 25] from **November 23, 2021 to December 21, 2020**. Good cause exists to grant the parties’ request for the following reasons:

1. This is a copyright infringement case in which Plaintiff has alleged copyright infringement over the internet and Defendant has alleged several counterclaims.

2. On November 16, 2020, the parties had a telephonic hearing with Magistrate Judge Farrer on Plaintiff’s motion to the modify the fact and expert discovery deadlines in the Court’s scheduling order [Dkt. 49]. Magistrate Judge Farrer denied the motion. [Nov. 16, 2020 text order].

3. During the hearing, Doe’s counsel agreed to allow Plaintiff to depose Doe on his affirmative defenses. For that reason, Doe’s counsel raised extending the date for summary judgment motions to account for Doe’s deposition.

4. Magistrate Judge Farrer asked the parties to cooperate on filing any motion to modify the deadline for summary judgment motions.

5. The scheduling order currently has November 23, 2021 as the deadline for dispositive motions. Based on the usual practice of this and other districts, the parties believe the date reflects a typo and is intended to be November 23, **2020**.

6. To eliminate any confusion about this date and to allow Malibu reasonable time to depose Doe on his affirmative defenses, the parties ask that the Court modify the dispositive motion deadline to December 21, 2020.

7. This extension will not impact any other deadline in the Scheduling Order. The discovery deadline has passed, and the Court has yet to set any dates for trial or pretrial disclosures.

For these reasons, the parties respectfully request the Court grant the requested modification to the Scheduling Order. A proposed order is attached.

Dated: November 20, 2020

Respectfully Submitted,

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CERTIFICATE OF SERVICE

Under the Federal Rules of Procedure. I certify that on November 20, 2020, a copy of the foregoing was served on all parties by the Court's ECF filing system.

/s/ JT Morris
JT Morris